App. F. IX-4

1927-F. File No. 31-27

Previous References (L. S.) Serial Nos. 14-22

L.R Dep 4038-27
G.O 31-27 (5-7)
L.R. 240-27 (5+6)
G.O 31-27 (8-15 & 17)
32-25-(1-5, 17-22)

Later References
Sancy 21-28 (8 & 9)
L.R. 355-30-1 & 2
L.R-252-32 (1-2)

P. 20

General and Revenue Secretariat.

Serial Nos. : Five

Part B for Nov. 28

SUBJECT

Recovery of arrears due to late Agricultural banks by Mr T. Hanumantha Rau

---

G.O 2174 dt 4-9-28

To

Hanumantha Rau Esq. B.A. B.L
Assistant Counsel - Sancy Debt.

State that Government will be prepared to Consider the question of leasing the Estate only after arrears of land Revenue as well as Kuthbandy & 1/10 of the outstanding amount is paid up

388
784

App.-F. III—2].

General and Revenue Secretariat. | bs-File No. of 1927

Serial No.

dated 3/7/28

Petition from Mr. J. Hanumantha Rao requesting for the grant of time to pay off his dues to the Govt in connection with the Black regala Agricultural Bank and also stating that Govt may treat his Insurance Bonds as an additional Security

Flag Q

Kind reference is invited to the letter No. D 93/bs. 31-27-17 dated 5th July 28 addressed to Mr. Hanumantha Rao, where it has been stated that his proposals cannot be accepted unless adequate collateral security. The P.O refd to in Para 8 of the letter from Mr Hanumantha Rao is flagged (2) in file No bs. 32-25 placed below. References to fair available have been placed below for perusal and orders

(1) bs. 32-25
(2) bs. 31-27, 15-)
(3) bs. 31-27, 28-15, 17
(4) LR Orl: 1038-27
(5) LR 260-27, 28-5-28

bs 7/8/28 VS 3rd Sub with previous refer for orders.

Flag Q

Mr Hanumantha Rao was last informed in our letter No. D. the 5th July 1928, that his proposal for repayment of his Agl Bank dues could not be considered. Unless he was prepared to furnish adequate collateral security.

In his present petition, he requests that he may be allowed ten years time to pay up his

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28.

General and Revenue Secretariat. | File No. of 192

Serial No.

dues without demanding additional security. His contention is that the Estate itself is ample & full security for the Govt dues. As he has assigned away his other property (bungalows etc) to other creditors, he feels unable to give add security. He represents that if Govt should still insist on add security being furnished, he has no objection to have his insurance bonus of Rs 5000 & odd, treated as such security.

5/ The memo, d. 24.7.28 handed in person by Mr Hanumantha Rao further explains the details of his request.

Flag C

6/ In view of the facts that Govt once were prepared to grant him ten years' time to repay the loan, subject to certain conditions, & that he is prepared to offer his insurance bonus also as add security the request may be favourably considered

This office letter d. 29th June 1926. (Flag. B.)

Subt for orders

Sec'y D) WA 8/8/28.

Letter No. MS-1684-26 d. the 6th Aug 1928 from the Dy Comm'r, Kadur Dt requesting early orders on the acceptance or otherwise of the collateral security by Mr Hanumantha Rao 7/ rec'd today is also placed below

WA 8/8

The Govt loan is the first charge on the estate, and is ~~in arrears~~ therefore entitled to priority in any case

NOTE.—Contn. Sheet

General and Revenue Secretariat. | File No. of 192

Serial No.

8

Mr T. Hammantha Rao's prayer is that he might be granted 10 years' time for the payment of his debt to the Agri Bank outstanding against the Malagar Coffee Estate, on the security of the estate itself, which might be restored to his possession for being worked. If additional security shd be absolutely insisted upon, he proposes that his Govt Insurance Policy for Rs 9000 might be taken as such.

2 The amount now outstanding against Mr Hammantha Rao is Rs 12000 + interest Rs 3220* on account being the amount due, (due) from the Agri Bank, and Rs 723-12-0 being land revenue. These two are of course entitled to priority whatever other encumbrances might have been created. The estate has been forfeited and put up for sale in due form, and in as much as there were no bids it is now in the option of Govt to take it back free from all encumbrances. Mr Hammantha Rao prays that it might be given back to his possession, as he has made satisfactory arrangements with Mr Fonseca for its profitable cultivation

* from 25th Oct 24 to 25th Aug 28 at 7% on 12 000/- (subject to verification & correction if necessary)

+ ditto

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

General and Revenue Secretariat. | File No. of 192

Serial No.

10 Two points seem to arise for consideration whether the security offered by Mr Hanmantha Rao is adequate, and whether there is a reasonable likelihood of his being able to keep his undertaking to pay up instalments punctually.

11 Mr Hanmantha Rao values the estate at Rs 30 000 in its present condition. ~~The Collector~~ Mr Hebbikar thought in Oct 1925 that it was worth Rs 20 000, and this estimate was reaffirmed in Aug 1927 by ~~his successor~~ Mr H V Rama Swami. It would perhaps be safe to take it as worth about Rs 20 000. I doubt whether this may be accepted as sufficient security - especially when regard is had to the difficulty of realising it. I think additional security is necessary.

12 The only additional security that Mr Hanmantha Rao can offer is Insurance Policy for Rs 9 000 The policy, strictly speaking, can only be taken at its present surrender value, but as Mr Hanmantha Rao is an officer in the service of Govt, a point may be-

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

haps be stretched in his favour. If a full assignment of the policy is taken in favour of Foot there might perhaps not be much of a risk.

13 ~~In case the security is deemed sufficient~~ Before accepting the security offered as sufficient it would be best to get the estate carefully valued and the legal position in regard to the policy examined

14 The arrangement entered into by Mr Hammantha Rao with Mr Fonseca, if duly brought into operation, is likely to enable the former to pay up instalments as they fall due; and payment could be further ensured by requiring Mr H. to authorise Mr Fonseca to first pay these instalments before making over any part of the return to Mr Hammantha Rao.

15 ~~Arbitration~~ If Foot shd decide to accede to Mr Hammantha Rao's proposal, the exact arrangement under which the estate shd be vested in him requires consideration. The estate of the late

WD 01714—GPB—30,000—18-4-28

General and Revenue Secretariat. | File No. of 192

Serial No.

should be now confirmed - would revert to Govt free from encumbrances. If it should be restored to the H, after cancellation of the proceedings, not only would the whole of the process have to be gone through again in case of default, but there are probabilities of complications arising from the action of other creditors who hold subsequent charges on the land. I understand that the [Bangalore Bank, and the Cen. Co-operative] Bank have a subsequent charge on the estate (among other securities) in respect of the loans advanced to the Hammenhalli Reo.

A 16/ The best course seems to be to confirm the sale, and after the estate has reverted to Govt, to make a conditional regrant to the Hammenhalli Reo, with an express stipulation that on default of any instalment, it shall revert to Govt ipso facto. Or it might be given to him on lease for 10 years, on a rental calculated to cover the instalment and land revenue with a condition that at the end of

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

Serial No.

that period it would be granted to him out right.

3d Member
thinks L. R.

H.R.
8 8 28

W.D. 8/8

17

I am inclined to the view that under the circumstance it is safe to forfeit the holding & make a regrant on the terms suggested at A.

GEN. & REV. SECRETARIAT
1 1928
DEVELOPMENT BRANCH

1932
15/8 11/8

8/8
11/8...
H.R.
14 8 28
W.D.
15/8/28.

18

Mr H. Rao may be sent for & asked whether he is agreeable to a lease of the estate for 10 years, subject to his paying up at once the arrears of land revenue due up to date, & paying ~~at least~~ one-tenth of the amt now outstanding (including principal & interest) with interest at 7%.

Lee
15-8-28

19

Please A.T. W.D.
16/8

20

Draft of a D.O. to Mr T. H. Rao is put up for appl.

21

Issue & submit to Secy

J.S.R.
16/8/28

W.D.

NOTE—Contn. Sheet.

WD 0774—GPB—30,000—16-4-28.

G. Dn. D. 2150
dt 18.8.28 fl. 19

16/8/28 To Mr T. H. Ramamenon 17/8 Rao, B.A., B.L. dis. pleas
on Monday the 20th instant that he may see the

C. S. File no. 31 of 1927-28 (8

22/ I/s Hn T. Hammanthan Rau agreeable to a leasing the estate for 10 years, subject to the keeping up at once the arrears of land revenue due up to date, and keeping one-tenth of the amount now outstanding (including principal and interest) with interest at 7%?

20.8.28

(23.8) I am agreeable to the above. I request leave till the end of November for keeping the assessment in arrear up to date and a tenth of the debt due. I believe that interest will be calculated only on the principal debt and not on the interest in arrear.

J. Hammanthan Rao
8.
2028

23 Hn Hammanthan Rau re[plying] to [illegible] enquiry is for orders. I understand that if it is necessary to commence operations in the garden some time in Oct, and that the crop will be harvested between Feb. & March. The lease may be granted after payment of arrears of land revenue and 1/10 thereof (principal and interest), but there would perhaps be no objection to allow Hn Hammanthan Rau to commence weeding etc in Oct

(9)

General and Revenue Secretariat. G. File No. 31 of 1927-28

Serial No.

DEWAN'S OFFICE
Received on
22. AUG. 1928
Reg. No. 1116

in anticipation of the lease. (It will increase the value of the est. which will 3d Member) be first subject

20-8-28

24

It will complicate matters if Mr Reed or his agents enter the property his servants cleared the land &c. & the cost of arbitration &c. paid.

Dewan)

25

22 8 28

26

22-8-28

27

Please put up.

WQ.

23/8

27

Draft submd. for approval

S.R. 23.8.28

Please type as revised.

WQ 24/8.

29

Typed draft submd.

S.R. 24.8.28

Dft for appl

Sec'y D)

WQ 24/8

25/8

31 Hon'ble appl. The Dy Comr may perhaps be informed now that the sale may be confirmed, and the

NOTE—Contn. Sheet.

General and Revenue Secretariat. File No. 31 of 1927-28

Serial No.

Estate treated as having reverted to Govt

3rd Member through Ch. Secy

CHIEF SECRETARY. 28 AUG. 1928

Mr T. Hanumanta Rao, B.A., B.L. Asst Comm

No. D. 2788 dt 4-9-28

Informs that Govt will be prepared to consider the question of granting him 10 years time if he will forthwith pay up one-tenth of the outstanding amount.

To

The Dy Comm, Kadur Dt

No. D. 2785 dt 4-9-28

Forwards copy of the above with reference to U.O.

No further communication has

GEN. & REV. SECRETARIAT 1928

NOTE—Contn. Sheet.

Serial No.

has been sent from Mr. T. Ramamanohara Rao in the matter.

The file may be recorded

17.10.28

Sub to orders. The Dept. may proceed to take further action.

Secy D)

19/10/28

Please see paras. 31. No clear instructions have been issued to the Dy Comr as directed there. This may be done now

7/11/28

Draft of a letter to the Dy. Comm of the Kadapa Dt. is put up.

7.11.28

Secy D)

7.11.28

3d Member)

8/11/28

4839/8/11

9.11.28

(Chief Secy with complts before issue

9/11/28

CHIEF SECRETARY. 9 NOV. 1928

item + returned with compliments

issue

12/11/28

14.11.28

NOTE—Contn. sheet

WD 021—GPB—30,000—21-8-28

Serial No.

22

To The D.C. Kadiri Distt.

D. 4982 dated 14/11/28

States that the sale held for the realisation of Govt dues by Mr. T. Hanumantha Rao, may be confirmed and the estate treated as having reverted to Govt without prejudice to the arrangement specified in sl 21 supra

GEN. & REV. SECRETARIAT. Rec'd NOV. 1928 ESTABLISHMENT BRANCH.

NOTE—Contn. sheet

Gs. 31-27-R

GEN. & REV. SECRETARIAT. 12 JULY 1928 DEVELOPMENT BRANCH.

OFFICE OF THE DEWAN OF MYSORE. Date of receipt..... Petn. Regr. No. 40

To

Amin-ul-Mulk

Mirza Muhammad Ismail, Esq., B.A.,C.I.E.,O.B.E.,

Dewan of Mysore, Bangalore.

388

Sir,

In regard to my prayer for the grant, without further security, of Ten years' time for the payment of the Agricultural Bank debt of Rs.12,000/- due to Government and outstanding against my family property, the Malgar Coffee Estate, I humbly request that the time asked for be graciously ordered to be granted under the following circumstances.--

2. The debt is secured and amply covered by my entire Malgar Coffee Estate of 200 acres out of which 100 acres are planted and yielding.

3. The outlay incurred on the Estate is nearly Rs.1,50,000/

4. To plant coffee on an area of 100 acres of jungle and tend the plantation till it begins to give its normal yield costs no less than Rs.40,000/-.

5. No fair valuation of the estate will value it in its present condition at any thing less than Rs.30,000/-.

6. Having had under pressure of a Government Order to assign my bungalows away in order to immediately reduce family indebtedness I am anxious to retain and develop the remaining properties the most valuable of which is the Coffee Estate. I have also reported to Government the very satisfactory arrangement I have made for the working of the Estate.

7. As I do not now need to hypothecate the standing coffee crop - which on an average is worth Rs.5,000/- the value of the estate as a security is still further enhanced.

8. Since the Government Order No.I.C.490/C.S.32-25-14 dated 20-7-1926 graciously granting me 10 Years' time without further security nothing has happened to lower the value of the estate as a security. On the other hand the property has been improved by about 40 acres having been weeded so recently as in January this year and regular work hereafter must result in a sure and steady rise in the value of the Estate. In the meanwhile I humbly submit that I have done nothing to deserve so heavy and disastrous a penalty as the summary withdrawal by Government of the very concession which they so magnanimously granted me in the Government Order above referred to and which, as explained in para 2 of my application to the Dewan Sahib dated 19th January 1928, I undertook to utilise by the end of December 1927 and on the 15th December 1927 reported duly my readiness to utilise.

9. If in spite of all that I have represented Government insist on additional security being furnished I must, as a last resort, represent that it is open to Government to treat my insurance bonus of Rs.9,000/- odd as an additional security.

I beg to remain,

Sir,

Your most obedient servant,

J. Hemmendhra Rao

7/14, Shankarmut Road
3rd July 1928.

M e m o. G8. 31-27-18

(1) Ten years' time beginning from 1st July 1928

(2) Interest chargeable from 1st July 1928

(3) Instalments in discharge of the principal to be paid in any of the following ways at my option viz.--

(a) ten equal annual instalments, the first instalment being payable before the 30th June 1929

or

(b) Five annual instalments the first being payable before the 30th June 1933

J. Hamilton Lad
24. 7. 28

Please let me know how the matter stands?

W R

Sir T Hammond Lad
Perhaps he had better write to the Dawson
Reply, please

W R
25. 7. 28

WP
29/7

GEN. & REV. REGISTRY
784
25 JULY 1928
DEVELOPMENT BRANCH.

A. P. F. VI. G1]

Issue & Submit.

SUBJECT.....

.....

.....

Section G8.
File No. 31-27
Serial No. 109

Diary No. of letter replied to.....

No. D 2180

General and Revenue Secretariat

( )

the *192*

Sir,

Dear Mr Hanumantha Rao

Date of issue 18/8/28

Signed by Mr V. Chary

With reference to your memo of representation dated the 24th July 1928 I am desired to state that ~~I request you to see~~ the ~~Development~~ Secretary to Govt. Deputy Debts will be glad to discuss it with you on Monday the 20th inst, during Office hours, in his rooms in the Public Offices.

List of enclosures.....

Copied by .....

Examined by .....

Yours

17/8

~~Asst Secy to Govt~~

Y.

To Hanumantha Rao Esq BA., B.L.

Pleader

~~Asst Commr~~

Survey Dept

D 1670
C.S. 31-27-20 S

D.C.4.]

No. M5-1684-26. (Refer please immediate)

Enc.

Office of the Deputy Commissioner,
Kadur District.

Dated Chikmagalur, 6th August *192 8.*

From

H. V. Ramaswami, Esq., M.A., B.L.,
Deputy Commissioner,
Kadur District.

GEN. & REV. SECRETARIAT
23 AUG. 1928
DEVELOPMENT BRANCH.

To

N. Rama Rao, Esq., B.A., B.L.,
Secretary to the Government
of His Highness the Maharaja of Mysore,
Development Department, *Bangalore.*

Sir,

Re:- recovery of arrears due to late Agricultural Bank,
Sale of lands of Mr. T. Hanumantha Rao.

With reference to your Memo No. D.94 dated 5th July 1928 containing copy of your letter to Mr. Hanumantha Rao asking him to furnish collateral Security in the above matter, I have the honor to state that in their Order No. D.10747/C.S. 31-27-11 dated 5th April 1928 Government ordered that they could not reopen the case according to their order No. R. 4553/L.R. 240-27-6 dated 14th December 1927

2. I accordingly addressed Mr. Hanumantha Rao to pay up the arrears in full failing which, I stated, the sale of his lands would be confirmed, etc. Mr. Hanumantha Rao, in reply, sent me a copy of his letter to you dated 7th May 1928 representing that he wanted 10 years' time to pay off his debt etc., but I wrote back saying that I could not go into that question.

3. He has again sent me copy of his representation to Government dated 3rd July 1928 wherein among other things he offers his Insurance Bonds of Rs. 9,000/- and odd as Collateral Security towards his debt due to Agricultural Bank.

4. The facts of the case have been fully set forth in my letter No. M5-1684-26 dated 7th February 1928 sent to you through the Revenue Commissioner which may kindly be referre(to.

5. I therefore request that orders of Government may kindly be passed early re: the acceptance or otherwise of the Collateral Security offered by Mr. Hanumantha Rao.

I have the honour to be,

Sir,

Your most obedient servant

Deputy Commissioner,
Kadur District.

C S 31 - 27 - 21

D 2784 4/9/28

T. Hanumantha Rao, Esq., B.A., B.L.,
Assistant Commissioner, Survey Department.
No. 7/14, Shankarpur Road
Bangalore City.

S i r,

With reference to your petition dated the 3rd July 1928 and memo of representation of the 25th idem, praying for 10 years' time from the 1st July 1928 for paying up your dues to Government etc., and your statement in writing before the Secretary to Government, Development Departments, dated the 20th August 1928, agreeing to take back your estate (forfeited ~~by~~ Government) on a lease for 10 years, subject to your paying up forthwith the arrears of land revenue up to date and also one-tenth of the amount now outstanding (including principal and interest (at 7% etc.) ~~with interest at 7%~~), I am directed to inform you that Government will be prepared to consider the question of leasing the estate to you only after the arrears of land revenue as well as one-tenth of the aggregate outstanding amount on account of the Agricultural Bank loan, have been actually paid by you.

I have etc.,

D 2785 24/8

Secretary to Government,
Development Departments.

Copy of the above is forwarded to the Deputy Commissioner, Kadur District, with compliments with reference to the correspondence ending with his letter No.M.S.91684/26, dated the 6th August 1928.

By Order,

24/8
For Secretary to Government.
Development Departments.

A. P. F. VI.(G)

SUBJECT.....

.....

.....

Section G.G.

File No. 31-27

Serial No. 22

No. 11982

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

To The Deputy Commissioner,
Kadur dist.

Date of issue 14/III/28

Signed by Mr. V. S. Sastry

Sir,

In contn. of this office No. D. 2785, dated the 4th Sep. 1928, I am directed to state that the sale held for the realisation of certain dues to Govt. by Mr. T. Hanumantharao, B.A., B.L., Asst. Commr., Survey Dept. may now be confirmed and ~~no[illegible] further action taken in the matter~~ The estate treated as having reverted to Government without prejudice to the arrangement specified in this office letter of even no. dated 4-9-28 to Mr. T. Hanumantha Rao, copy of which was forwarded to you with memo no D 2785 of that date

List of enclosures.....

Copied by .....

Examined by .....

over

M D0325—GPB—80,000—26-5-27

9

~~Master~~

2

---9---have &c.

7.11.28

8/11/28

Secy to Govt.

Dev - Depts

Ag.